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CLERK, U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA  
BY s/dmartinez DEPUTY

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

February 2023 Grand Jury

UNITED STATES OF AMERICA,

Case No. '23 CR2090 LAB

Plaintiff,

I N D I C T M E N T

v.

Title 18, U.S.C., Sec. 1349 -  
Conspiracy to Commit Wire Fraud;  
Title 18, U.S.C., Sec. 1343 -  
Wire Fraud; Title 18, U.S.C.,  
Sec. 1956(h) - Conspiracy to  
Launder Monetary Instruments;  
Title 18, U.S.C.,  
Secs. 1956(a)(2)(A) and  
1956(a)(2)(B)(i) - Laundering of  
Monetary Instruments;  
Title 18, U.S.C., Secs.  
981(a)(1)(C), 982(a)(1)  
and 982(b), Title 21, U.S.C.,  
Sec. 853(p), and Title 28,  
U.S.C., Sec. 2461(c) - Criminal  
Forfeiture

[REDACTED] -(1),

aka [REDACTED], (2),

[REDACTED] (3),

[REDACTED] (4),

[REDACTED] (5),

[REDACTED] (6),

[REDACTED] (7),

[REDACTED] (8),

FLORIN NICOLAE (9),

aka Gabriel Stoica,

aka Moise Devis,

[REDACTED] (10),

[REDACTED] (11),

[REDACTED] (12),

aka [REDACTED], (13),

[REDACTED] (14),

Defendants.

The Grand Jury charges, at all times material:

INTRODUCTORY ALLEGATIONS

1. The Insurance Program "UI Program" was a joint federal-state partnership administered on behalf of the U.S. Department of Labor by agencies in each state. In the State of California, the UI Program was administered by California's Employment Development Department ("California EDD").

1       2. On March 13, 2020, President Trump declared a nationwide  
2 emergency due to COVID-19, and in March 2020, the Families First  
3 Coronavirus Response Act ("FFCRA") and the Coronavirus Aid, Relief, and  
4 Economic Security ("CARES") Act provided additional funding for state  
5 UI agencies to respond to the COVID-19 pandemic. The CARES Act allowed  
6 states to expand the scope of workers who were eligible to receive state  
7 UI benefits, to extend the period of time for which workers could be  
8 eligible for UI benefits, and to allow workers who may have exhausted  
9 UI benefits under traditional programs to receive benefits.

10      3. The CARES Act further expanded the ability of states to provide  
11 benefits to unemployed workers by creating three new unemployment  
12 programs, namely, the Pandemic Unemployment Assistance ("PUA") program,  
13 which permitted states to provide benefits to individuals who were self-  
14 employed, seeking part-time employment, or otherwise would not qualify  
15 for regular unemployment benefits, the Federal Pandemic Unemployment  
16 Compensation ("FPUC") Program, which provided an additional amount in  
17 federal benefits to individuals collecting traditional UI program  
18 benefits; and the Pandemic Emergency Unemployment Compensation ("PEUC")  
19 program, which provided additional weeks of benefits for individuals who  
20 had otherwise exhausted their entitlement to regular UI benefits  
21 (collectively referred to herein as "expanded pandemic UI benefits").  
22 PUA and FPUC benefits were 100% federally funded benefits paid through  
23 state UI agencies. To receive UI, PUA, PEUC, and FPUC benefits from a  
24 state UI agency, an applicant could file a claim, via the internet, with  
25 the state UI agency from which he was eligible to seek benefits.

26      4. California EDD provided unemployment insurance benefits for  
27 regular UI and expanded UI pandemic benefits to individuals whom

1 California EDD determined were entitled to receive such benefits through  
2 debit cards, which were funded by California EDD and issued by Bank 1.

3       5. California EDD's determination of whether the individuals were  
4 entitled to receive unemployment insurance benefits relied, in part, on  
5 confirmations from the individual's employer that the employee had  
6 worked with the employer.

7       6. Once a debit card for unemployment insurance benefits was  
8 issued, California EDD funded those debit cards by having funds drawn  
9 from the United States federal treasury in Washington, D.C., and wired  
10 to Bank 1.

11       7. Bank 1 utilized debit processing services located in Colorado  
12 and Virginia to create accounts, load funds, and post payments for  
13 unemployment insurance debit cards. When a withdrawal was made from an  
14 account using a debit card, information was sent electronically to  
15 servers in Colorado and Virginia to post a debit to the account.

16       8. Between March and October 2020, over 8 million Californians  
17 applied for unemployment benefits. In light of the high volume of  
18 applications, on October 5, 2020, California implemented a new  
19 verification process for EDD through ID.me, which provided an automated  
20 process with a virtual in-person session with an ID.me representative,  
21 known as a "trusted referee," to quickly verify the identity of the  
22 applicant through a multi-step process using both Artificial  
23 Intelligence and Human Intelligence.

24       9. With the addition of ID.me, each applicant needed to complete  
25 a verification process before applying for benefits. Once the  
26 verification process was completed, the applicant could re-enter the EDD  
27 portal and apply for benefits. The applicant would be given a

1 "Confirmation Number" connected to their application for future  
2 reference.

3       10. Once approved for pandemic benefits, the recipient of the  
4 benefits would be required to periodically recertify under penalty of  
5 perjury that, among other things, the recipient was unemployed due to  
6 the COVID-19 pandemic and therefore remained eligible to receive  
7 pandemic benefits.

Counts 1-3  
Wire Fraud Conspiracy  
18 U.S.C. § 1349

11. The foregoing paragraphs are hereby incorporated by reference  
10 as if fully stated herein.  
11

12. On or about the dates specified below, within the Southern  
District of California, and elsewhere, the listed defendants knowingly  
and intentionally conspired and agreed with each other and with persons  
known and unknown to the Grand Jury to commit the offense of wire fraud,  
that is, to knowingly devise a material scheme and artifice to defraud  
and to obtain money and property by means of materially false and  
fraudulent pretenses, representations, and promises, and by intentional  
concealment and omission of material facts, and in executing said scheme,  
caused writings, signs and signals to be transmitted by means of wire  
in interstate commerce, in violation of Title 18, United States Code,  
Section 1343.

## THE OBJECT OF THE CONSPIRACY TO DEFRAUD

24           13. The object of each conspiracy was for defendant [REDACTED]  
25 [REDACTED], aka [REDACTED], hereinafter referred to as [REDACTED],  
26 and [REDACTED] Bobi Sandu (previously charged), hereinafter referred to  
27 as SANDU, to facilitate the fraudulent EDD applications for their co-  
conspirators, including defendants [REDACTED], [REDACTED],

1 [REDACTED], [REDACTED], [REDACTED] and others  
2 known and unknown to the Grand Jury, in order to unlawfully enrich  
3 themselves by filing and causing the filing of fraudulent claims for UI  
4 benefits and expanded UI pandemic benefits, ultimately resulting in an  
5 aggregate of at least \$5,178,276.00 of stolen funds from the State of  
6 California.

7 **THE MEANS AND MANNER OF THE CONSPIRACY**

8 14. The object of each conspiracy was carried out, and to be  
9 carried out, in substance, as follows:

10 a. It was part of the conspiracy that [REDACTED] and SANDU  
11 would cooperate in assisting hundreds of fraudulent applicants to apply  
12 for millions of dollars of California EDD benefits to which they were  
13 not entitled.

14 b. It was further part of the conspiracy that [REDACTED] and  
15 SANDU would develop a process to apply for EDD benefits by creating  
16 fraudulent identifications, falsified utility bills, falsified earnings  
17 statements, falsified W-2s, and falsified health insurance cards that  
18 they provided to fraudulent applicants for use in their applications.

19 c. It was further part of the conspiracy that [REDACTED] and  
20 SANDU would often "backdate" or modify an EDD application with an earlier  
21 fictitious unemployment start date to generate the greatest amount of  
22 fraudulent income, and therefore, the greatest payout of undeserved  
23 benefits.

24 d. It was further part of the conspiracy that [REDACTED]  
25 would submit two applications for EDD benefits for himself on July 6,  
26 2021 and July 29, 2021.

1               e. It was further part of the conspiracy that beginning in  
2 July 2021, [REDACTED] and SANDU would send public announcements via  
3 Facebook to a large network of associates, advertising and offering  
4 their services in conducting the fraud.

5               f. It was further part of the conspiracy that [REDACTED] and  
6 SANDU would communicate with fraudulent applicants via Facebook  
7 messaging or other electronic means, and/or meet with them in person to  
8 collect their personal identifiable information (PII) for purposes of  
9 generating false identifications and supporting documents, and  
10 submitting fraudulent applications.

11              g. It was further part of the conspiracy that [REDACTED] and  
12 SANDU would use PII provided by fraudulent applicants to create or have  
13 others create false identifications and supporting documents, which  
14 would be submitted in connection with the fraudulent applications for  
15 UI benefits from EDD.

16              h. It was further part of the conspiracy that [REDACTED] and  
17 SANDU would meet with co-conspirators at parks within the Southern  
18 California area to submit fraudulent EDD applications and conduct ID.me  
19 video verification sessions.

20              i. It was further part of the conspiracy that [REDACTED] and  
21 SANDU would use four common electronic devices to create and/or  
22 manipulate the majority of the ID.me accounts that hundreds of fraudulent  
23 applicants used to apply for EDD benefits.

24              j. It was further part of the conspiracy that a fraudulent  
25 applicant would typically pay SANDU a \$1,000.00 down payment for his  
26 assistance at the time of the application and \$1,500.00 after an  
27 applicant received the undeserved benefits from EDD. SANDU would then  
28

1 typically pay [REDACTED] \$400.00 to \$500.00 and up to \$1,000.00 of this  
2 fee received for [REDACTED] unlawful assistance. On other occasions,  
3 fraudulent applicants would pay [REDACTED] directly for his unlawful  
4 assistance.

5 k. It was further part of the conspiracy that a fraudulent  
6 applicant would regularly conduct ATM balance inquiries to ascertain the  
7 amount of undue EDD benefits in their account, in order to plan  
8 withdrawals of the funds, which were often conducted in structured  
9 amounts. Thereafter, it was part of the conspiracy that a fraudulent  
10 applicant would obtain his or her undue EDD benefits through ATM or  
11 teller cash withdrawals and would frequently repatriate the funds to  
12 Romania.

13 l. It was further part of the conspiracy that, between July  
14 2020 and August 2022, [REDACTED] sent (or caused to be sent) \$  
15 \$128,912.09 of fraud proceeds via money services businesses (MSBs) to  
16 his associates in Romania.

17 **Count 1**  
18 **Wire Fraud Conspiracy**  
19 **18 U.S.C. § 1349**

20 [REDACTED] (D1), [REDACTED] (D2), and [REDACTED] (D3)]

21 15. The foregoing paragraphs are hereby incorporated by reference  
as if fully stated herein.

22 16. Beginning in or about July 2020, and continuing to in or about  
23 August 2022, within the Southern District of California, and elsewhere,  
24 defendants [REDACTED], aka [REDACTED], [REDACTED], and  
25 [REDACTED] knowingly and intentionally conspired and agreed with  
each other and with persons known and unknown to the Grand Jury to commit  
the offense of wire fraud, that is, to knowingly devise a material scheme

1 and artifice to defraud and to obtain money and property by means of  
2 materially false and fraudulent pretenses, representations, and  
3 promises, and by intentional concealment and omission of material facts,  
4 and in executing said scheme, caused writings, signs and signals to be  
5 transmitted by means of wire in interstate commerce, in violation of  
6 Title 18, United States Code, Section 1343.

7       17. The object of the conspiracy and its manner and means are  
8 listed above in paragraphs 13 and 14.

9       18. In furtherance of the conspiracy and to effect its objects,  
10 [REDACTED], [REDACTED], [REDACTED], and others known and  
11 unknown to the Grand Jury, did commit and cause the commission of the  
12 following overt acts, among others, in the Southern District of  
13 California and elsewhere:

14           a. Beginning in July 2021, [REDACTED] and SANDU both posted  
15 public messages on Facebook offering EDD application services or  
16 meetings. On July 17, 2021, [REDACTED] marketed the EDD application  
17 scheme on Facebook. An approximate English translation of the post which  
18 was in Romanian reads "you want EDD account \$1,000.00 now."

19           b. Beginning on or about July 15, 2021 and continuing to on  
20 or about October 15, 2021, SANDU and [REDACTED] communicated with ADRIAN  
21 [REDACTED] via Facebook regarding EDD benefits for [REDACTED]  
22 ([REDACTED]).

23           c. On or about July 15, 2021, [REDACTED] provided SANDU with  
24 a falsified W-2 for [REDACTED].

25           d. On or about July 15, 2021, an EDD application was  
26 submitted for [REDACTED], and [REDACTED] conducted a recorded video  
27 verification session in support of her EDD application.

1                   e. Between August 3, 2021 and October 15, 2021, [REDACTED]  
2 [REDACTED] and [REDACTED] conducted ATM and teller cash withdrawals in the  
3 Southern District of California and elsewhere to collect nearly  
4 \$27,000.00 in undue EDD benefits.

5 All in violation of Title 18, United States Code, Section 1349.

6                   Count 2

7                   **Wire Fraud Conspiracy**  
8                   **18 U.S.C. § 1349**

9 [REDACTED] (D1), [REDACTED] (D6), and [REDACTED] (D7)]

10                  19. The foregoing paragraphs are hereby incorporated by reference  
as if fully stated herein.

11                  20. Beginning in or about July 2020, and continuing to in or about  
12 August 2022, within the Southern District of California, and elsewhere,  
13 defendants [REDACTED], aka [REDACTED], [REDACTED] and  
14 [REDACTED], knowingly and intentionally conspired and agreed with  
15 each other and with persons known and unknown to the Grand Jury to commit  
16 the offense of wire fraud, that is, to knowingly devise a material scheme  
17 and artifice to defraud and to obtain money and property by means of  
18 materially false and fraudulent pretenses, representations, and  
19 promises, and by intentional concealment and omission of material facts,  
20 and in executing said scheme, caused writings, signs and signals to be  
21 transmitted by means of wire in interstate commerce, in violation of  
22 Title 18, United States Code, Section 1343.

23                  21. The object of the conspiracy and its manner and means are  
24 listed above in paragraphs 13 and 14.

25                  22. In furtherance of the conspiracy and to effect its objects,  
26 [REDACTED], [REDACTED] and [REDACTED], and others known and unknown  
27 to the Grand Jury, did commit and cause the commission of the following  
28

1 overt acts, among others, within the Southern District of California,  
2 and elsewhere:

3           a. Beginning in July 2021, [REDACTED] and SANDU both posted  
4 public messages on Facebook offering EDD application services or  
5 meetings. On July 17, 2021, [REDACTED] marketed the EDD application  
6 scheme on Facebook. An approximate English translation of the post which  
7 was in Romanian reads "you want EDD account \$1,000.00 now."

8           b. Beginning on or about July 22, 2021 and continuing until  
9 on or about August 31, 2021, defendant [REDACTED] communicated  
10 with SANDU and [REDACTED] via Facebook message within the Southern  
11 District of California and elsewhere regarding EDD applications for  
12 [REDACTED], defendant [REDACTED], and 13 other unnamed co-  
13 conspirators.

14           c. On July 22, 2021 and July 23, 2021, [REDACTED] and [REDACTED]  
15 fraudulently applied for California EDD benefits and conducted recorded  
16 video verification calls in support of their fraudulent EDD  
17 applications.

18           d. In August and September 2021, [REDACTED] and [REDACTED] conducted ATM  
19 and teller cash withdrawals to collect nearly \$28,350 each in undue EDD  
20 benefits. In total, [REDACTED] facilitated the payout of no less than  
21 \$244,050.00 in undue EDD benefits using [REDACTED] and SANDU's  
22 assistance.

23           e. On September 10, 2021, [REDACTED] sent SANDU \$1,400.00 via  
24 Zelle.

25           f. Between July 2020 and August 2022, [REDACTED] sent (or caused  
26 to be sent) \$128,902.99 of fraud proceeds via MSBs to his associates in  
27 Romania.

1                   g. On or about December 13, 2022, [REDACTED] purchased a 2020 BMW  
2 X6 for \$105,044 with cash fraud proceeds from Pacific BMW in Glendale,  
3 California and shipped it to Romania on April 28, 2023 from a location  
4 in San Diego.

5 All in violation of Title 18, United States Code, Section 1349.

6                   Count 3

7                   **Wire Fraud Conspiracy**  
8                   **18 U.S.C. § 1349**

9                   [REDACTED] (D1) and [REDACTED] (D11)]

10                  23. The foregoing paragraphs are hereby incorporated by reference  
11 as if fully stated herein.

12                  24. Beginning in or about July 2020, and continuing to in or about  
13 August 2022, within the Southern District of California, and elsewhere,  
14 defendants [REDACTED], aka [REDACTED], and [REDACTED]

15                  knowingly and intentionally conspired and agreed with each  
16 other and with persons known and unknown to the Grand Jury to commit the  
17 offense of wire fraud, that is, to knowingly devise a material scheme  
18 and artifice to defraud and to obtain money and property by means of  
19 materially false and fraudulent pretenses, representations, and  
20 promises, and by intentional concealment and omission of material facts,  
21 and in executing said scheme, caused writings, signs and signals to be  
22 transmitted by means of wire in interstate commerce, in violation of  
23 Title 18, United States Code, Section 1343.

24                  25. The object of the conspiracy and its manner and means are  
25 listed above in paragraphs 13 and 14.

26                  26. In furtherance of the conspiracy and to effect its objects,

27 [REDACTED], [REDACTED], [REDACTED], and [REDACTED]  
28 , and others known and unknown to the Grand Jury, did commit and

1 cause the commission of the following overt acts, among others, in the  
2 Southern District of California and elsewhere:

3           a. Beginning in July 2021, [REDACTED] and SANDU both posted  
4 public messages on Facebook offering EDD application services or  
5 meetings. On July 17, 2021, [REDACTED] marketed the EDD application  
6 scheme on Facebook. An approximate English translation of the post which  
7 was in Romanian reads "you want EDD account \$1,000.00 now."

8           b. Beginning on or about July 21, 2021 and continuing to on  
9 or about October 17, 2021, defendant [REDACTED]  
10 communicated with SANDU and [REDACTED] via Facebook message about  
11 fraudulent EDD applications for himself, unnamed co-conspirator [REDACTED],  
12 and 10 other unnamed co-conspirators.

13           c. On July 23, 2023, a fraudulent EDD application for [REDACTED]  
14 was submitted.

15           d. October 1, 2021, an ATM balance inquiry was conducted in  
16 the Southern District of California from [REDACTED]'s EDD account. Altogether,  
17 [REDACTED] facilitated the payout of no less than  
18 \$281,100.00 in undue EDD benefits using [REDACTED] and SANDU's  
19 assistance.

20 All in violation of Title 18, United States Code, Section 1349.

21                                  Count 4  
22                                  Wire Fraud  
23                                  18 U.S.C. § 1343  
24                                  [REDACTED] (D1)]

25           27. The foregoing paragraphs are hereby incorporated by reference  
26 as if fully stated herein.

27           28. Beginning no later than July 17, 2021, within the Southern  
28 District of California, and elsewhere, defendant [REDACTED],  
aka [REDACTED], did knowingly and with the intent to defraud, devise

1 a scheme and artifice to defraud and to obtain money by means of  
2 materially false and fraudulent pretenses, representations, and  
3 promises, utilizing the manner and means described above at  
4 paragraphs 13 and 14, and for the purpose of executing such scheme and  
5 artifice, transmit and caused to be transmitted, by means of wire  
6 communication in interstate commerce, certain writings, signs, signals  
7 and sounds, to wit, accessing an ATM in the Southern District of  
8 California to conduct a balance inquiry on August 24, 2021.  
9 All in violation of Title 18, United States Code, Section 1343.

10 Count 5

11 **Wire Fraud**

12 **18 U.S.C. § 1343**

13 [REDACTED] (D2)]

14 29. The foregoing paragraphs are hereby incorporated by reference  
15 as if fully stated herein.

16 30. Beginning no later than July 14, 2021, within the Southern  
17 District of California, and elsewhere, defendant [REDACTED], did  
18 knowingly and with the intent to defraud, devise a scheme and artifice  
19 to defraud and to obtain money by means of materially false and  
20 fraudulent pretenses, representations, and promises, utilizing the  
21 manner and means described above at paragraphs 13 and 14, and for the  
22 purpose of executing such scheme and artifice, transmit and caused to  
23 be transmitted, by means of wire communication in interstate commerce,  
24 certain writings, signs, signals and sounds, to wit, accessing an ATM  
25 in the Southern District of California to conduct a cash withdrawal on  
August 4, 2021.

26 All in violation of Title 18, United States Code, Section 1343.

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## Counts 6-8

## Wire Fraud

18 U.S.C. § 1343

(D4) ]

31. The foregoing paragraphs are hereby incorporated by reference as if fully stated herein.

32. Beginning no later than July 17, 2021, within the Southern District of California, and elsewhere, defendant [REDACTED], did knowingly and with the intent to defraud, devise a scheme and artifice to defraud and to obtain money by means of materially false and fraudulent pretenses, representations, and promises, utilizing the manner and means described above at paragraphs 13 and 14, and for the purpose of executing such scheme and artifice, transmit and caused to be transmitted, by means of wire communication in interstate commerce, certain writings, signs, signals and sounds sent or caused to be sent from the Southern District of California, as more particularly described below:

<b>Count</b>	<b>Date</b>	<b>Wire Communication</b>
6	August 5, 2021	Using an EDD-issued debit card at a point of sale terminal
7	August 8, 2021	Using an EDD-issued debit card at a point of sale terminal
8	August 24, 2021	Conducting a cash withdrawal via a teller

All in violation of Title 18, United States Code, Section 1343.

## Count 9

## Wire Fraud

18 U.S.C. § 1343

(D8) ]

33. The foregoing paragraphs are hereby incorporated by reference as if fully stated herein.

1       34. Beginning no later than June 21, 2021, within the Southern  
2 District of California, and elsewhere, defendant [REDACTED],  
3 did knowingly and with the intent to defraud, devise a scheme and  
4 artifice to defraud and to obtain money by means of materially false and  
5 fraudulent pretenses, representations, and promises, utilizing the  
6 manner and means described above at paragraphs 13 and 14, and for the  
7 purpose of executing such scheme and artifice, transmit and caused to  
8 be transmitted, by means of wire communication in interstate commerce,  
9 certain writings, signs, signals and sounds, to wit, accessing an ATM  
10 in the Southern District of California to conduct a cash withdrawal on  
11 September 23, 2021.

12 All in violation of Title 18, United States Code, Section 1343.

Counts 10-11  
Wire Fraud  
18 U.S.C. § 1343  
[FLORIN NICOLAE (D9)]

16       35. The foregoing paragraphs are hereby incorporated by reference  
17 as if fully stated herein.

18       36. Beginning no later than June 27, 2021, within the Southern  
19      District of California, and elsewhere, defendant FLORIN NICOLAE,  
20      aka Gabriel Stoica, aka Moise Devis, did knowingly and with the intent  
21      to defraud, devise a scheme and artifice to defraud and to obtain money  
22      by means of materially false and fraudulent pretenses, representations,  
23      and promises, utilizing the manner and means described above at  
24      paragraphs 13 and 14, and for the purpose of executing such scheme and  
25      artifice, transmit and caused to be transmitted, by means of wire  
26      communication in interstate commerce, certain writings, signs, signals  
27      and sounds sent or caused to be sent from the Southern District of  
28      California, as more particularly described below:

Count	Date	Wire Communication
10	August 12, 2021	Conducting an ATM balance inquiry
11	August 12, 2021	Conducting an ATM balance inquiry

All in violation of Title 18, United States Code, Section 1343.

Count 12

Wire Fraud

18 U.S.C. § 1343

[REDACTED] (D10)]

37. The foregoing paragraphs are hereby incorporated by reference  
as if fully stated herein.

38. Beginning no later than July 15, 2021, within the Southern  
District of California, and elsewhere, defendant [REDACTED] did  
knowingly and with the intent to defraud, devise a scheme and artifice  
to defraud and to obtain money by means of materially false and  
fraudulent pretenses, representations, and promises, utilizing the  
manner and means described above at paragraphs 13 and 14, and for the  
purpose of executing such scheme and artifice, transmit and caused to  
be transmitted, by means of wire communication in interstate commerce,  
certain writings, signs, signals and sounds, to wit, accessing an ATM  
in the Southern District of California to conduct a cash withdrawal on  
August 24, 2021.

All in violation of Title 18, United States Code, Section 1343.

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Count 13  
Wire Fraud  
18 U.S.C. § 1343  
[REDACTED] (D12)]

39. The foregoing paragraphs are hereby incorporated by reference as if fully stated herein.

40. Beginning no later than July 23, 2021, within the Southern District of California, and elsewhere, defendant [REDACTED], aka [REDACTED] [REDACTED], did knowingly and with the intent to defraud, devise a scheme and artifice to defraud and to obtain money by means of materially false and fraudulent pretenses, representations, and promises, utilizing the manner and means described above at paragraphs 13 and 14, and for the purpose of executing such scheme and artifice, transmit and caused to be transmitted, by means of wire communication in interstate commerce, certain writings, signs, signals and sounds, to wit, accessing an ATM in the Southern District of California to conduct a balance inquiry on October 1, 2021.

All in violation of Title 18, United States Code, Section 1343.

Count 14  
Wire Fraud  
18 U.S.C. § 1343  
(D13) 1

41. The foregoing paragraphs are hereby incorporated by reference as if fully stated herein.

42. Beginning no later than July 7, 2021, within the Southern District of California, and elsewhere, defendant [REDACTED] did knowingly and with the intent to defraud, devise a scheme and artifice to defraud and to obtain money by means of materially false and fraudulent pretenses, representations, and promises, utilizing the manner and means described above at paragraphs 13 and 14, and for the

1 purpose of executing such scheme and artifice, transmit and caused to  
2 be transmitted, by means of wire communication in interstate commerce,  
3 certain writings, signs, signals and sounds, to wit, accessing an ATM  
4 in the Southern District of California to conduct a cash withdrawal on  
5 August 4, 2021.

6 All in violation of Title 18, United States Code, Section 1343

7 **Counts 15-17**

8 **Wire Fraud**

9 **18 U.S.C. § 1343**

[REDACTED] (D14)]

10 43. The foregoing paragraphs are hereby incorporated by reference  
as if fully stated herein.

11 44. Beginning no later than June 25, 2021, within the Southern  
12 District of California, and elsewhere, defendant [REDACTED] did  
13 knowingly and with the intent to defraud, devise a scheme and artifice  
14 to defraud and to obtain money by means of materially false and  
15 fraudulent pretenses, representations, and promises, utilizing the  
16 manner and means described above at paragraphs 13 and 14, and for the  
17 purpose of executing such scheme and artifice, transmit and caused to  
18 be transmitted, by means of wire communication in interstate commerce,  
19 certain writings, signs, signals and sounds sent or caused to be sent  
20 from the Southern District of California, as particularly described  
21 below:

Count	Date	Wire Communication
15	July 20, 2021	Conducting an ATM balance inquiry
16	July 20, 2021	Conducting an ATM cash withdrawal
17	July 20, 2021	Conducting an ATM cash withdrawal

28 All in violation of Title 18, United States Code, Section 1343.

Count 18

Conspiracy to Launder Monetary Instruments  
Title 18 U.S.C. § 1956(h)

(D2) and (D3) ]

45. The foregoing paragraphs are hereby incorporated by reference as if fully stated herein.

46. Beginning on July 2020, and continuing to and until September, 2022, within the Southern District of California, and elsewhere, defendants [REDACTED] and [REDACTED], did knowingly and intentionally conspire and agree among themselves and with others known and unknown to the Grand Jury, to commit the following money laundering offense, to wit: to transport, transmit and transfer and attempt to transport, transmit and transfer a monetary instrument and funds from a place in the United States to and through a place outside the United States--knowing that the monetary instrument and funds represented the proceeds of some form of unlawful activity, and knowing that such transportation, transmission, and transfer was designed in whole and in part to conceal and disguise the nature, the location, the source, the ownership, and the control of the proceeds of specified unlawful activity, to wit, violations of Wire Fraud and Conspiracy to Commit Wire Fraud in violation of Title 18, United States Code, Sections 1343 and 1349; all in violation of Laundering of Monetary Instruments and Conspiracy to Launder Monetary Instruments; all in violation of Title 18, United States Code, Sections 1956(a)(2)(B)(i) and 1956(h).

Count 19

## Laundering of Monetary Instruments

18 U.S.C. § 1956(a)(2)(A)

(D1) I

45. The foregoing paragraphs are hereby incorporated by reference as if fully stated herein.

1       46. On or about August 21, 2021, within the Southern District of  
2 California, defendant [REDACTED], aka [REDACTED], transported,  
3 transmitted, and transferred a monetary instrument and funds from a  
4 place in the United States to a place outside the United States - to  
5 wit, approximately \$2,500.00 USD from a bank account in the United States  
6 to a bank account controlled, managed, supervised, directed, and owned  
7 by B.S.M. in Romania - with the intent to promote the carrying on of  
8 specified unlawful activity, to wit, Wire Fraud in violation of Title 18,  
9 United States Code, Section 1343; all in violation of Title 18, United  
10 States Code, Section 1956(a)(2)(A).

## Count 20

## Laundering of Monetary Instruments

18 U.S.C. § 1956(a)(2)(B)(i)

(D4) ]

14        47. The foregoing paragraphs are hereby incorporated by  
reference as if fully stated herein.

48. On or about June 23, 2021, within the Southern District of California, defendant [REDACTED] transported, transmitted, and transferred a monetary instrument and funds from a place in the United States to a place outside the United States - to wit, approximately \$2,500.00 USD from a bank account in the United States to a bank account controlled, managed, supervised, directed, and owned by [REDACTED] in Romania - knowing that the monetary instrument and funds represented the proceeds of some form of unlawful activity, and knowing that such transportation, transmission, and transfer was designed in whole and in part to conceal and disguise the nature, the location, the source, the ownership, and the control of the proceeds of specified unlawful activity, to wit, Wire Fraud in violation of Title 18, United States Code, Section 1343; all in violation of Title 18, United States Code, Section 1956(a)(2)(B)(i).

Count 21  
Laundering of Monetary Instruments  
18 . S.C. § 1956(a)(2)(B)(i)  
[REDACTED] (D5) ]

49. The foregoing paragraphs are hereby incorporated by reference as if fully stated herein.

50. On or about February 14, 2022, within the Southern District of California, defendant [REDACTED] transported, transmitted, and transferred a monetary instrument and funds from a place in the United States to a place outside the United States - to wit, approximately \$2,145.00 USD from a bank account in the United States to a bank account controlled, managed, supervised, directed, and owned by [REDACTED] in Romania - knowing that the monetary instrument and funds represented the proceeds of some form of unlawful activity, and knowing that such transportation, transmission, and transfer was designed in whole and in part to conceal and disguise the nature, the location, the source, the ownership, and the control of the proceeds of specified unlawful activity, to wit, Wire Fraud in violation of Title 18, United States Code, Section 1343; all in violation of Title 18, United States Code, Section 1956(a)(2)(B)(i).

Count 22

51. The foregoing paragraphs are hereby incorporated by reference as if fully stated herein.

52. On or about August 23, 2020, within the Southern District of California, defendant [REDACTED] transported, transmitted, and transferred a monetary instrument and funds from a place in the United States to a place outside the United States - to wit, approximately \$2,500.00 USD from a bank account in the United States to a bank account

1 controlled, managed, supervised, directed, and owned by [REDACTED] in Romania  
2 - knowing that the monetary instrument and funds represented the proceeds  
3 of some form of unlawful activity, and knowing that such transportation,  
4 transmission, and transfer was designed in whole and in part to conceal  
5 and disguise the nature, the location, the source, the ownership, and  
6 the control of the proceeds of specified unlawful activity, to wit, Wire  
7 Fraud in violation of Title 18, United States Code, Section 1343; all  
8 in violation of Title 18, United States Code, Section 1956(a)(2)(B)(i).

9 **Count 23**

10 **Laundering of Monetary Instruments**

11 **18 U.S.C. § 1956(a)(2)(B)(i)**

[REDACTED] (D7)]

12 53. The foregoing paragraphs are hereby incorporated by reference  
as if fully stated herein.

13 54. On or about August 23, 2020, within the Southern District of  
California, defendant [REDACTED] transported, transmitted, and  
14 transferred a monetary instrument and funds from a place in the United  
15 States to a place outside the United States - to wit, approximately  
16 \$2,500.00 USD from a bank account in the United States to a bank account  
17 controlled, managed, supervised, directed, and owned by [REDACTED] in Romania  
18 - knowing that the monetary instrument and funds represented the proceeds  
19 of some form of unlawful activity, and knowing that such transportation,  
20 transmission, and transfer was designed in whole and in part to conceal  
21 and disguise the nature, the location, the source, the ownership, and  
22 the control of the proceeds of specified unlawful activity, to wit, Wire  
23 Fraud in violation of Title 18, United States Code, Section 1343; all  
24 in violation of Title 18, United States Code, Section 1956(a)(2)(B)(i).  
25  
26  
27  
28

### Count 24

## Laundering of Monetary Instruments

18 U.S.C. § 1956(a)(2)(B)(i)

(D8) ]

55. The foregoing paragraphs are hereby incorporated by reference as if fully stated herein.

56. On or about October 10, 2021, within the Southern District of California, defendant [REDACTED] transported, transmitted, and transferred a monetary instrument and funds from a place in the United States to a place outside the United States - to wit, approximately \$2,000.00 USD from a bank account in the United States to a bank account controlled, managed, supervised, directed, and owned by [REDACTED] in Romania - knowing that the monetary instrument and funds represented the proceeds of some form of unlawful activity, and knowing that such transportation, transmission, and transfer was designed in whole and in part to conceal and disguise the nature, the location, the source, the ownership, and the control of the proceeds of specified unlawful activity, to wit, Wire Fraud in violation of Title 18, United States Code, Section 1343; all in violation of Title 18, United States Code, Section 1956(a)(2)(B)(i).

**Count 25**

## Laundering of Monetary Instruments

18 U.S.C. § 1956(a)(2)(B)(i)

(D10) 1

57. The foregoing paragraphs are hereby incorporated by reference as if fully stated herein.

58. On or about September 10, 2021, within the Southern District of California, defendant [REDACTED] transported, transmitted, and transferred a monetary instrument and funds from a place in the United States to a place outside the United States - to wit, approximately

1 \$2,900.00 USD from a bank account in the United States to a bank account  
2 controlled, managed, supervised, directed, and owned by [REDACTED] in Romania  
3 - knowing that the monetary instrument and funds represented the proceeds  
4 of some form of unlawful activity, and knowing that such transportation,  
5 transmission, and transfer was designed in whole and in part to conceal  
6 and disguise the nature, the location, the source, the ownership, and  
7 the control of the proceeds of specified unlawful activity, to wit, Wire  
8 Fraud in violation of Title 18, United States Code, Section 1343; all  
9 in violation of Title 18, United States Code, Section 1956(a)(2)(B)(i).

10 Count 26

11 **Laundering of Monetary Instruments**  
12 **18 U.S.C. § 1956(a)(2)(B)(i)**  
13 [REDACTED] (D13)]

14 59. The foregoing paragraphs are hereby incorporated by reference  
15 as if fully stated herein.

16 60. On or about August 23, 2021, within the Southern District of  
17 California, defendant [REDACTED] transported, transmitted, and  
18 transferred a monetary instrument and funds from a place in the United  
19 States to a place outside the United States - to wit, approximately  
20 \$2,500.00 USD from a bank account in the United States to a bank account  
21 controlled, managed, supervised, directed, and owned by [REDACTED] in  
22 Romania - knowing that the monetary instrument and funds represented the  
23 proceeds of some form of unlawful activity, and knowing that such  
24 transportation, transmission, and transfer was designed in whole and in  
25 part to conceal and disguise the nature, the location, the source, the  
26 ownership, and the control of the proceeds of specified unlawful  
27 activity, to wit, Wire Fraud in violation of Title 18, United States  
28 Code, Section 1343; all in violation of Title 18, United States Code,  
Section 1956(a)(2)(B)(i).

Count 27

Laundering of Monetary Instruments  
18 U.S.C. § 1956(a)(2)(B)(i)  
[D14])

61. The foregoing paragraphs are hereby incorporated by reference as if fully stated herein.

62. On or about July 28, 2021, within the Southern District of California, defendant [REDACTED] transported, transmitted, and transferred a monetary instrument and funds from a place in the United States to a place outside the United States - to wit, approximately \$2,500.00 USD from a bank account in the United States to a bank account controlled, managed, supervised, directed, and owned by [REDACTED] in Romania - knowing that the monetary instrument and funds represented the proceeds of some form of unlawful activity, and knowing that such transportation, transmission, and transfer was designed in whole and in part to conceal and disguise the nature, the location, the source, the ownership, and the control of the proceeds of specified unlawful activity, to wit, Wire Fraud in violation of Title 18, United States Code, Section 1343; all in violation of Title 18, United States Code, Section 1956(a)(2)(B)(i).

## FORFEITURE ALLEGATIONS

63. The allegations contained in Counts 1 through 27 of this Indictment are re-alleged and incorporated by their reference for the purpose of alleging forfeiture to the United States pursuant to Title 18, United States Code, Section 981(a)(1)(C), Title 28, United States Code, Section 2461(c), and Title 18, United States Code, Section 982(a)(1).

64. Upon conviction of one and more of the offenses in violation of Title 18, United States Code, Section 1349, as set forth in Counts 1 through 3 of this Indictment, defendants [REDACTED], aka [REDACTED]

1 [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED]  
2 [REDACTED], and [REDACTED], shall forfeit to the United  
3 States of America, pursuant to Title 18, United States Code,  
4 Section 981(a)(1)(C), and Title 28, United States Code, Section 2461(c),  
5 all their rights, title, and interest in any property, real or personal,  
6 which constitutes or is derived from proceeds traceable to the offenses.

7 65. Upon conviction of one and more of the offenses in violation  
8 of Title 18, United States Code, Section 1343, as set forth in Counts 4  
9 through 17 of this Indictment, defendants [REDACTED], aka [REDACTED]

10 [REDACTED], [REDACTED], [REDACTED], [REDACTED]  
11 FLORIN NICOLAE, aka Gabriel Stoica, aka Moise Devis, [REDACTED],  
12 [REDACTED], aka [REDACTED], [REDACTED], and [REDACTED], shall  
13 forfeit to the United States of America, pursuant to Title 18, United  
14 States Code, Section 981(a)(1)(C) and Title 28, United States Code,  
15 Section 2461(c), all their rights, title, and interest in any property,  
16 real or personal, which constitutes or is derived from proceeds traceable  
17 to the offenses.

18 66. Upon conviction of the offense in violation of Title 18, United  
19 States Code, Section 1956(h), set forth in Count 18 of this Indictment,  
20 defendants [REDACTED] and [REDACTED], shall forfeit to the  
21 United States of America, pursuant to Title 18, United States Code,  
22 Section 982(a)(1), any property, real or personal, involved in the  
23 offense and any property traceable to such property.

24 67. Upon conviction of one and more of the offenses in violation  
25 of Title 18, United States Code, Section 1956(a)(A), set forth in  
26 Count 19 of this Indictment, defendant [REDACTED] aka [REDACTED]  
27 [REDACTED]. shall forfeit to the United States of America, pursuant to

1 Title 18, United States Code, Section 982(a)(1), any property, real or  
2 personal, involved in the offense and any property traceable to such  
3 property. The property to be forfeited includes, but is not limited to:

4       a. **approximately \$128,912.09 worth of cash or financial**  
5           **instruments as detailed in paragraph 14(l) of this indictment.**

6       68. Upon conviction of one and more of the offenses in violation  
7       of Title 18, United States Code, Section 1956(a)(2)(B)(i), set forth in  
8       Counts 20 through 27 of this Indictment, defendants [REDACTED]  
9       [REDACTED], [REDACTED], [REDACTED] [REDACTED],  
10      [REDACTED] and [REDACTED], shall forfeit to the United States of  
11     America, pursuant to Title 18, United States Code, Section 982(a)(1),  
12     any property, real or personal, involved in the offenses and any property  
13     traceable to such property.  
14

15      69. Upon conviction of the offense set forth in Count 22  
16     which alleges a violation of Title 18, United States Code,  
17     Section 1956(a)(2)(B)(i), defendant [REDACTED], shall forfeit to the  
18     United States all defendant's rights, title, and interest in all property  
19     involved in the offense. The property to be forfeited includes, but is  
20     not limited to **a 2020 BMW X6, bearing VIN number 5YMCY0C08L9C5932971,**  
21     **and \$128,902.99 worth of cash or financial instruments.**  
22

23      70. If any of the property described above, as a result of any act  
24     or omission of the defendants:

- 25       a. cannot be located upon the exercise of due diligence;  
26       b. has been transferred or sold to, or deposited with, a third  
27           party;  
28

- c. has been placed beyond the jurisdiction of the court;
  - d. has been substantially diminished in value; or
  - e. has been commingled with other property which cannot be divided without difficulty,

5 the United States of America shall be entitled to forfeiture of  
6 substitute property pursuant to Title 21, United States Code,  
7 Section 853(p), as incorporated by Title 18, United States Code,  
8 Section 982(b), and Title 28, United States Code, Section 2461(c).  
9 All pursuant to Title 18, United States Code, Section 981(a)(1)(C),  
10 982(a)(1), 982(b), Title 21, United States Code, Section 853(p), and  
11 Title 28, United States Code, Section 2461(c).

DATED: October 6, 2023.

A TRUE BILL:

16 TARA K. MCGRATH  
United States Attorney

By: Jessica Adeline Schulberg  
JESSICA ADELINE SCHULBERG  
Assistant U.S. Attorney



I hereby attest and certify on Oct 10, 2023 that the foregoing document is a full, true and correct copy of the original on file in my office and in my legal custody.

**Clerk, U.S. District Court  
Southern District of California**

By: s/ D. Martinez  
Deputy



**SEALED**

PLEASE RECEIPT AND RETURN

# United States District Court

## SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA

v.

Florin Nicolae (9)  
 A.K.A Gabriel Stoica A.K.A Moise  
 Devis

**WARRANT FOR ARREST**Case Number: 23-cr-2090-LAB-9**NOT FOR PUBLIC VIEW**

To: The United States Marshal  
 and any Authorized United States Officer

YOU ARE HEREBY COMMANDED to arrest

Florin Nicolae (9)

Name

and bring him or her forthwith to the nearest magistrate to answer a(n)

- Indictment    Information    Complaint    Order of Court    Violation Notice    Probation Violation Petition  
 Pretrial Violation

charging him or her with (brief description of offense):

18:1343 - Wire Fraud

18:981(a)(1)(C), 982(a)(1), 982(b), 21:853(p), 28:2461(c) - Criminal Forfeiture

In violation of Title See Above United States Code, Section(s) \_\_\_\_\_

John Morrill

Name of Issuing Officer

Clerk of the Court

Title of Issuing Officer

s/ D. Martinez

D. Martinez

Signature of Deputy

10/10/2023 San Diego, CA

Date and Location

Bail fixed at \$

No Bail

by

The Honorable Michael S. Berg

Name of Judicial Officer

**RETURN**

This warrant was received and executed with the arrest of the above-named defendant at \_\_\_\_\_

DATE RECEIVED	NAME AND TITLE OF ARRESTING OFFICER	SIGNATURE OF ARRESTING OFFICER
DATE OF ARREST		